

APPLICATION NO.	P21/V0454/HH
SITE	50 Francis Little Drive Abingdon, OX14 5PN
PARISH	ABINGDON
PROPOSAL	Erection of two-storey side extension. Demolition of one existing garage and lean-to car port. Conversion of remaining garage (as amended by plan submitted on the 30th June 2021, demonstrating parking arrangements) - PART RETROSPECTIVE
WARD MEMBER(S)	Eric de la Harpe Robert Maddison
APPLICANT OFFICER	Mr David Granat Nathalie Power

RECOMMENDATION

It is recommended that planning permission is granted, subject to the following conditions:

Standard

(1) Approved plans

Pre-occupation

(2) Southern boundary treatment details to be submitted

Compliance

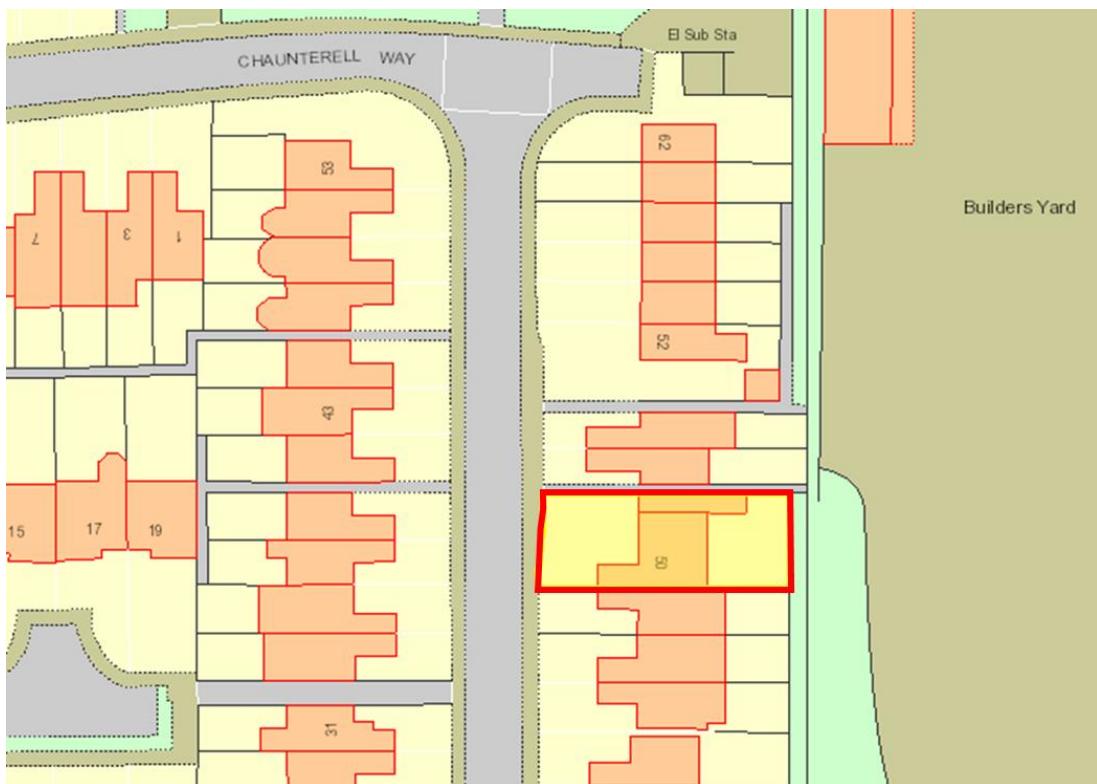
(3) Materials in accordance with application details

(4) Car parking area to be permanently kept free of obstruction to use

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application is referred to Committee at the request of Cllr Eric de la Harpe.
- 1.2 This application site is located within the well-established residential area of Caldecott, in the south of Abingdon-on-Thames. The building on site is a two-storey end-of-terrace residential dwelling. The site hosts an existing car parking area to the front of the dwelling, and just over 100 sqm of rear amenity space. Vehicular access is obtained via Francis Little Drive which adjoins the western boundary of the site. Neighbouring residential dwellings are located to the north and south of the site, with a builder's yard located to the east.

- 1.3 A site location plan is provided below;



Extracts from the application plans are attached as Appendices.

- 1.4 The current application seeks planning permission for the;
- demolition of a single-storey side garage
 - demolition of a single-storey lean-to car port
 - construction of a two-storey side extension and the;
 - conversion of the remaining garage.
- Works have begun on site.
- 1.5 The two-storey side extension projects from the northern elevation of the existing dwelling by 4.20 metres, at a depth of 7.55 metres, with an overall dual-pitched height of 7.45 metres. The side extension is set back from the principal elevation, set down from the roof ridge of the original dwelling and set 1 metre off the boundary with the northern neighbour.
- 1.6 Amended plans were received on the 30th June, demonstrating 3 standard car parking spaces to the front of the dwelling, in line with the consultation response received from the OCC Highways Liaison Officer.
- 1.7 Available Council Records indicate that a notification was submitted to the South & Vale Building Control Team by the applicant earlier this year, for the refurbishment of this dwelling to 'form a 6 bedroom house of multiple occupation' (ref. B21/0355/V). This is a material planning consideration.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS FOLLOWING RECEIPT OF AMENDMENTS ON THE 30TH JUNE 2021**

2.1	Abingdon Town Council	NO OBJECTIONS
2.2	OCC Highways Liaison Officer	NO OBJECTIONS subject to conditions
2.3	Flood Risk and Drainage Engineer	NO OBJECTIONS
2.4	Contaminated Land	NO OBJECTIONS
2.5	50A Francis Little Drive	OBJECTION Overshadowing, noise pollution, building works are a cause of distress to children
2.6	48 Francis Little Drive	OBJECTION Insufficient parking, more than 3 spaces will be needed. It would also be easy to make this into an HMO which would cause traffic chaos.
2.7	46 Francis Little Drive	OBJECTION Works have started and are ongoing without planning consent. Property will be used as an HMO. Insufficient parking on site for potentially 14 residents. This application should not be permitted unless it is for a single family abode. The behaviour of presumably young party people will have an adverse impact upon this otherwise quiet family area.

2.8 No further representations have been received, at the time of writing this report.

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P16/V0557/PEM](#) - Advice provided (20/07/2016)
Proposal of a three bedroom house.

[P82/V0651](#) - Approved (17/03/1982)
Erection of an attached garage.

[P72/V0500/O](#) - Approved (07/02/1972)
Erection to 240 dwellings and garages with estate roads.

[P71/V0051](#) - Approved (04/03/1971)
Use of land for residential purposes and access to light industrial site.

[P69/V0527](#) - Other Outcome (01/06/1969)
Use of land 11.12 acres for residential purposes

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The proposed development is neither of a sufficient scale, nor within a location of sufficient environmental sensitivity, to require an EIA.

5.0 MAIN ISSUES

- 5.1 The relevant planning considerations in determining this application are;

- **Design and Layout**
- **Residential Amenity**
- **Flood Risk and Drainage**
- **Traffic, Parking and Highway Safety**
- **Other Matters; Potential Creation of a House of Multiple Occupancy**
- **The Community Infrastructure Levy (CIL)**

5.2 Design and Layout

Core Policy 37 of the Local Plan 2031 Part 1 states that new development should be visually attractive, and be of a scale, height, density, massing and materials that responds positively to the site and its surrounding area. The Design Guide 2015 further highlights that side extensions should be set back from the front of the house to retain the proportions of the original building.

- 5.3 The proposed two-storey side extension will be set back from the front of the house and set down from the original roof ridge. Given the demolition of the large single-storey lean-to that existed on the site previously, the two-storey extension will be appropriate in size and scale in relation to the original house. The chosen design and materials will also complement that of the original house, and other houses seen within the street scene of Francis Little Drive.
- 5.4 The external alterations proposed to the single garage located to the front of the house, to facilitate its conversion, would be undertaken with materials similar to those used in the construction of the original house and would not appear incongruous in the street scene. Officers note that this particular work could be done using the permitted development rights of the homeowner.
- 5.5 A fence is indicated to be erected to the front of the dwelling as part of the proposals. The erection of a fence between the house and the highway will require planning permission under condition 6 of the original site development permission ref. P72/V0500/O. As such, details of the proposed fence have been requested via condition.
- 5.6 The development is considered to be in line with Core Policy 37 and the principles held within the Vale of White Horse Design Guide 2015. As such, the proposed development is not considered to have an adverse impact upon the visual amenity of the street scene and is therefore considered acceptable in design terms.

5.7 Residential Amenity

Development Policy 23 of the Local Plan 2031 Part 2 states that proposals should not result in a significantly adverse impact upon the residential amenity of neighbours, including through overshadowing and overlooking.

- 5.8 The proposed two-storey side extension would host first-floor windows on the front and rear elevations. These elevations of the house already host first-floor windows, and the new first-floor windows will form part of this existing and expected residential relationship. No first-floor windows are proposed to the side elevation of the house, facing no 50A Francis Little Drive. The development is not considered to cause a significantly adverse impact to existing levels of privacy experienced by the adjacent neighbour.
- 5.9 A distance of just over a metre will be maintained between the two-storey side extension and the northern neighbouring boundary. Concern has been raised regarding a reduced amount of light to a neighbouring side-facing bathroom window. In the planning balance, bathroom windows, particularly side-facing windows, are not afforded the same weight as the windows of a habitable room, such as a bedroom or living room. Taking this into consideration, alongside the existing orientation of the properties along this stretch of Francis Little Drive, the development is not considered to have an unacceptable impact upon existing residential amenity through overshadowing.
- 5.10 The development is considered to be in line with Development Policy 23 and the principles held within the Vale of White Horse Design Guide 2015 and is therefore not considered to harm the amenities of any neighbouring properties.

5.11 Flood Risk and Drainage

This site is wholly located within Flood Zone 2 and partially within Flood Zone 3. Core policy 42 requires all new proposals within these Flood Zones to submit a site-specific risk assessment. The Flood Risk and Drainage engineer has assessed the two supporting documents submitted by the applicant; ‘Flood Risk Assessment’ and ‘Detailed Flood Risk_ Product 4 Environment Agency’ and has raised no objection to the scheme, commenting that both existing flood risk, and flood risk as a result of the development, have been satisfactorily addressed.

5.12 Traffic, Parking and Highway Safety

The development would facilitate the creation of two additional bedrooms on site and would see the remaining single garage converted. An existing car parking area, measuring a minimum of 8 metres by 11 metres, would remain to the front of the property. Officers note that, in line with current standards, a car parking space should measure 2.5 metres by 5 metres, where unobstructed on all sides.

- 5.13 A number of representations raised concern regarding an insufficient provision of parking on site. For a site in this urban location, Oxfordshire County Council Parking Standards require 3 spaces, inclusive of a visitor space, be provided.

Following receipt of an amended location and block plan (submitted 30th June), demonstrating 3 standard spaces on the existing car parking area to the front of the house, the OCC Highways Liaison Officer has raised no objection to the scheme.

5.14 Other Matters; Creation of a House of Multiple Occupancy

It has been brought to the attention of Officers that a notification was submitted to the South & Vale Building Control Team by the applicant earlier this year, for the refurbishment of this dwelling to ‘form a 6 bedroom house of multiple occupation’ (HMO) (ref. B21/0355/V). This application for a two-storey side extension and garage conversion must be assessed on its own merits, however the potential future indicated use of the building as an\\savvpspf01.capitacouncilpartnership.co.uk\\Images\\Planning Applications\\Vale\\2021\\P21V0454\\Case Folder\\Committee Appendices HMO is a material planning consideration.

- 5.15 A number of representations have raised concerns regarding the conversion of this house into a house of multiple occupancy, following implementation of this development. It is understood from the representations received that the basis of these concerns stem from insufficient parking on site for the occupants of an HMO, and the potential behaviour of the occupants of an HMO.
- 5.16 Under the Town and Country Planning (Use Classes) Order, planning permission is not required for a change of use from any family dwelling (Use Class C3) to an HMO of up to 6 unrelated persons (Use Class C4). This is a material fall-back position.
- 5.17 In respect of parking provision, Officers note that the size of the existing car parking area to the front of the property could host up to 6 cars in tandem arrangement. At this time, there is no substantive evidence that an HMO would have an unacceptable impact upon local highway safety.
- 5.18 In respect of occupant behaviour, should any future use of this building as an HMO result in noise concerns or other nuisances, that is a matter that will need to be dealt with separately by the District Council Environmental Health team, or the Police. There is no evidence to suggest that occupant behaviour of HMOs would be significantly different to a large family home that could host a larger number of residents.
- 5.19 Given the material fallback position that planning permission is not required to change the use of dwellings to small HMOs, and the lack of any substantive evidence that such a use would be significantly harmful, Officers do not consider that it would be reasonable to refuse the application on this basis.

5.20 The Community Infrastructure Levy (CIL)

CIL is a planning charge primarily calculated on the increase in footprint created as a result of the development or net gain of residential use on site. Taking into consideration the demolition on site, this residential development would not exceed 100 m² and would not be liable to pay CIL.

6.0 CONCLUSION

- 6.1 Subject to the attached conditions, the development would not have an unacceptable impact upon the character and visual amenity of the local area, private residential amenity, local flood risk, nor highway safety. This application for a two-storey side extension and garage conversion must be assessed on its individual merits. At this time, there is no substantive evidence to demonstrate that any potential future use of this premises as a 6-bedroom dwelling would give rise to inadequate parking provision or have a detrimental impact on neighbouring residential amenity.
- 6.2 Having regard to the above, the weighing of material considerations is in favour of granting planning permission for the development. This development is considered to accord with the relevant policies of the Development Plan and the provisions of the National Planning Policy Framework 2021.

The following planning policies have been taken into account:

VOWHDC Local Plan 2031 Part 1: Strategic Sites and Core Policies;

CP33 – Promoting Sustainable Transport and Accessibility

CP35 – Promoting Public Transport, Cycling and Walking

CP37 – Design and Local Distinctiveness

CP42 – Flood Risk

VOWHDC Local Plan 2031 Part 2: Detailed Policies and Additional Sites;

DP16 – Access

DP23 – Impact of Development upon Amenity

Supplementary Planning Document: Design Guide (adopted March 2015).

DG103 – Responding to Local Character

DG104 – Consider Your Neighbours

DG105 – Scale, Form and Massing

DG109 – Side Extensions

National Planning Policy Framework (2021):

Planning Practice Guidance

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. The impact on individuals has been balanced against the public interest and the Officer recommendation is considered to be proportionate.

Equality Act 2010

In assessing this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010. It is considered that no recognised group will suffer discrimination as a result of the proposal.

Author: Nathalie Power
Email: nathalie.power@southandvale.gov.uk
Telephone: 01235 422600